

**Amendment to  
California Code of Regulations  
Title 5  
Division 4  
Chapter 1**

**PROPOSED TEXT**

Text proposed to be added to the California Code of Regulations is displayed in underline type.

Text proposed to be deleted is displayed in ~~strikeout~~ type.

Section 30023. In Lieu Test Scores; Grace Period.

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(c) The Commission may, on a case-by-case basis, accept the submission of grade point average(s) from an applicant or reporting institutions after the March 2 or September 2 ~~established~~ deadline if, in the opinion of the Executive Director, circumstances beyond the control of the applicant delayed or prevented the timely submission of the grade point average(s) by the applicant or reporting institution(s) by the March 2 or September 2 ~~established~~ deadline. ~~In such cases, any request to the Executive Director to accept grade point average(s) after the established deadline shall be received by the Commission no later than twenty (20) days after the established deadline and the computed grade point average(s) shall be included with the request.~~

(1) Such circumstances must be shown by a certification: (i) from the reporting institution of the circumstances beyond the control of the applicant that delayed or prevented the timely submission of the grade point average by the reporting institution by the March 2 or September 2 deadline; (ii) from the

applicant or reporting institution with proof that the grade point average was originally mailed by the applicant or reporting institution before the deadline; or (iii) from the applicant with a written description, under penalty of perjury, of the facts showing that circumstances beyond the control of the applicant delayed or prevented the timely submission of the grade point average.

(2) In the case of an application for an entitlement award, any request to accept grade point average(s) after the March 2 deadline shall be received by the Commission no later than May 16 (seventy-five (75) days after the March 2 deadline) and the computed grade point average(s) and certification specified in subsection (1) shall be included with the request. No later than April 16 (forty-five (45) days after the March 2 deadline), the Commission shall inform students who are potentially eligible for entitlement awards based on application information the Commission has received, that their grade point average(s) had not been received by the Commission by the March 2 deadline, and shall notify them that they have until May 16 (75 days from the March 2 deadline) to request the Commission to accept their late grade point average(s) on the conditions specified above, including the submission of the certification specified in subsection (1).

(3) In the case of an application for a competitive grant award, any request to the Executive Director to accept grade point average(s) after the March 2 or September 2 deadline shall be received by the Commission no later than March 22 or September 22 (twenty (20) days after the March 2 or September 2

deadline) and the computed grade point average(s) and the certification specified in subsection (1) shall be included with the request.

(4) Notwithstanding the grace periods established above, for entitlement applicants for the 2006-07 award year who submitted a FAFSA by the March 2, 2006 deadline and for whom the Commission did not receive a grade point average by the March 2, 2006 filing deadline but for whom the Commission received by no later than August 31, 2006 a request for late submission of the grade point average, along with a certification from their reporting institution stating that the circumstances which prevented or delayed the timely submission of grade point average to the Commission was beyond the control of the applicant, the Commission shall review such requests. The Commission may make awards to such applicants if it finds that in each such case circumstances beyond the control of the applicants prevented or delayed the timely submission of the grade point average.

(5) Pursuant to Government Code 6707, in such cases where the March 22 or September 22 deadline to request late submittal of grade point average(s) on behalf of competitive applicants or the May 16 deadline to request late submittal of grade point average(s) on behalf of entitlement applicants falls upon a Saturday, Sunday, or state holiday, the request for late submittal must be postmarked or received by the Commission by the following business day.

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Authority cited: Sections 69432.9(c) and 69433.7, Education Code.

Reference: Section 69432.9(c), Education Code.